

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 08-CV-278-TCK-PJC

**(1) LINDSEY K. SPRINGER, Individually
and as Co-Trustee of the S.L.C.A. Family
Trust; (2) REGINA M. CARLSON, as
Co-Trustee of the S.L.C.A. Family Trust;
(3) MARTHA F. MOORE, Individually and
as Trustee of the W.T. Moore and Martha F.
Moore Revocable Trust dated June 12, 2002,
(4) W.T. SMITH; and (5) JANETH S. SMITH,**

Defendants.

ORDER

Before the Court is Plaintiff's Motion for Stay Pending Appeal (Doc. 185). After consideration of the four relevant factors, *see Hilton v. Braunskill*, 481 U.S. 770-776-77 (1987), the Court finds that Plaintiff has failed to make the necessary showing. Specifically, Plaintiff has failed to make a strong showing that he is likely to proceed on the merits and has failed to show that a stay pending appeal is in the public interest. Further, the Court finds that a stay would injure the United States because the value of the relevant property may diminish. In this case, these factors outweigh any irreparable injury Plaintiff may suffer during appeal. In addition to the reasoning set forth in this Order, the Court adopts the reasoning and arguments set forth in the United States' brief opposing the motion to stay (Doc. 187). Plaintiff's Motion for Stay Pending Appeal (Doc. 185) is DENIED.

IT IS SO ORDERED this 14th day of April, 2010.


TERENCE KERN
United States District Judge